



UNIVERSITY OF  
**TORONTO**  
FACULTY OF LAW

International Human Rights Clinic  
University of Toronto, Faculty of Law

SYLLABUS

Autumn 2006

Adjunct Professor Darryl Robinson

BORA LASKIN LAW LIBRARY

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FACULTY OF LAW  
UNIVERSITY OF TORONTO

This course offers students the opportunity to engage in international human rights advocacy, including litigation, under the supervision of experienced lawyers. The course challenges students to protect and promote international human rights in a variety of forums, including Canadian courts, foreign courts and at the international level in front of treaty bodies and international tribunals. The clinic is partnered with leading Toronto law firms in several complex and ongoing cases.

The clinic will: (i) provide you with training on relevant substantive law, (ii) provide skill-building seminars, (iii) expose you to various types of human rights advocacy and (iv) encourage you to think critically about the goals and trade-offs of human rights advocacy.

The class will meet twice per week, on Mondays and Wednesdays, from 4:10 PM to 5:25 PM in FA4 (room to be confirmed). The Sept. 27 class will be at the library.

One session (typically the Wednesday sessions) will be organized as a seminar, which will focus on skills building and on substantive issues in international human rights litigation. Some of these seminars will feature Faculty and visiting experts who will address the clinic on subjects within their expertise.

The other session ("project rounds") is an opportunity to evaluate active cases, discuss challenges and strategy and consider issues particular to each case. Students are expected to attend all meetings involving their team. Students will also be expected to present oral case analyses to the clinic director and to scrutinize the applicable law and the method of advocacy for their cases and projects.

Additional meetings with teams may be scheduled as needed.

Attendance at clinic meetings is mandatory. This course requires a significant commitment. While we will seek to avoid difficulties through advance strategic planning, there may be unavoidable instances where urgent deadlines must be met, in precedence over other scholastic, extracurricular or personal priorities. Engaging in the clinic means engaging in professional responsibilities.

Depending on the particular project(s) assigned, you will be working with the supervision of the clinic director (Darryl Robinson) or the assistant director of the IHRP (Sarah Perkins) as well as other faculty members, Toronto firm partners, and partners in other institutions.

In light of the nature of the clinic, students and faculty may be traveling on clinic business during the semester.

I will be interested in your feedback over the course of the semester, as we have scope to shape the clinic together. In the Wednesday seminars, after covering basic substantive law and skills, we will end with 4 "special topics" seminars; the subject of which will be finalized taking into account the interests of the students. Possible topics include corporate accountability for human rights violations; immunities; special problems in international investigations or litigation; means of legal advocacy for economic, social and cultural rights; applying international law in Canada; or advocacy of reproductive rights.

**International Human Rights Clinic, Autumn 2006**

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Sept. 11 <b>Critique of Human Rights Advocacy</b>	Sept. 13 <b>Precepts of International Human Rights Law</b>
Sept. 18 <i>PROJECT ROUNDS</i>	Sept. 20 <b>The International Human Rights Landscape: Actors and Venues</b>
Sept. 25 <i>PROJECT ROUNDS</i>	Sept. 27 <b>International Legal Research</b> Visit: Beatrice Tice ( <i>NB. Change of venue</i> )
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	Oct. 11 <b>International Criminal Justice Institutions</b>
Oct. 16 <i>PROJECT ROUNDS</i>	Oct. 18 <b>Interviewing and Client Relations</b> Visit: Judith McCormack
Oct. 23 <i>PROJECT ROUNDS</i>	Oct. 25 <b>Investigative Reporting and Advocacy</b> Visit: HRW
Oct. 30 <i>PROJECT ROUNDS</i>	Nov. 1 <b>Special Topics</b>
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Nov. 13 <i>PROJECT ROUNDS</i>	Nov. 15 <b>Special Topics</b>
Nov. 20 <i>PROJECT ROUNDS</i>	Nov. 22 <b>Special Topics</b>
Nov. 27 <i>PROJECT ROUNDS</i>	Nov. 29 <b>Special Topics</b>
Dec. 4 <i>PROJECT ROUNDS</i>	-----

# **INTERNATIONAL HUMAN RIGHTS CLINIC**

## **COURSE MATERIALS, VOLUME I**

<b><u>Introduction to the Clinic and Human Rights Advocacy</u></b> .....	1
Deena Hurwitz, "Lawyering for Justice and the Inevitability of International Human Rights Clinics" 28 Yale J. I. L. (2003) 505	
<b><u>Critique of Human Rights Advocacy</u></b> .....	42
David Kennedy, "The International Human Rights Movement: Part of the Problem?" 15 Harvard Hum. Rts. J. (2002) 101	
David Rieff, "The Precarious Triumph of Human Rights", New York Times Magazine, Aug. 8, 1999	
Makau Mutua, "Savages, Victims and Saviours: The Metaphor of Human Rights", Harvard I. L. J. (2001) 201	
<b><u>Precepts of International Human Rights Law</u></b> .....	112
Excerpts from Steiner and Alston, <i>International Human Rights in Context</i> (custom, treaties, emergence of human rights system, civil and political rights)	
Optional: Vienna Convention on the Law of Treaties, Universal Declaration of Human Rights	
<b><u>The International Human Rights Landscape: Actors and Venues</u></b> .....	133
Excerpts from Steiner and Alston, <i>International Human Rights in Context</i> (enforcement machinery, country resolutions, ICCPR Human Rights Committee, European Convention, Inter-American System)	
<b><u>International Legal Research (no readings; location of class TBA)</u></b>	
<b><u>International Humanitarian Law</u></b> .....	156
ICRC, <i>What is International Humanitarian Law?</i>	
ICRC, <i>International Humanitarian Law: Answers to Your Questions</i>	
Excerpts from "War Crimes", <i>An Introduction to International Criminal Justice</i> (draft)	
Excerpts from Human Rights Watch, <i>Genocide, Crimes Against Humanity and War Crimes</i>	
<b><u>International Criminal Justice Institutions</u></b> .....	203
ICTY, <i>ICTY at a Glance</i>	
ICTY, <i>Bringing Justice to the Former Yugoslavia: The Tribunal's Core Achievements</i>	
ICTR, <i>General Information, Tribunal at a Glance</i>	
SCSL, <i>Basic Facts</i>	
"The International Criminal Court", <i>An Introduction to International Criminal Justice</i> (draft)	
Statement by ICC Prosecutor, "Prosecutorial Strategy", 29 June 2006	
Third Report of the Prosecutor of the International Criminal Court to the UN Security Council Pursuant to UNSCR 1593, 14 June 2006	
<b><u>Interviewing and Client Relations (no readings)</u></b>	



